

REMARKS

In the final Office Action, the Examiner makes the following observations:

- Claim 31 is objected to due to an alleged informality;
- Claims 1-3, 5, and 12 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. (U.S. Patent No. 6,463,062), in view of HEMMADY (U.S. Patent Application Publication No. 2002/0126674), and further in view of SPIEGEL et al. (U.S. Patent No. 5,649,108);
- Claim 4 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, in view of SPIEGEL et al., and further in view of NOAKE et al. (U.S. Patent No. 6,751,222);
- Claims 6, 8, and 9 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, in view of SPIEGEL et al., and further in view of CHRISTIE et al. (U.S. Patent No. 6,690,656);
- Claim 7 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, in view of SPIEGEL et al., and further in view of FARRIS et al. (U.S. Patent No. 6,154,445);
- Claim 13 is rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, in view of SPIEGEL et al., and further in view of BASSO et al. (U.S. Patent No. 6,633,539);
- Claims 14-16, 18, 20, 21, 31, 39, 42, 43, 45, 47, 48, and 58 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY;
- Claims 17 and 44 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, and further in view of NOAKE et al.;
- Claims 19, 23, 25, 46, and 50 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, and in further view of CHRISTIE et al.;
- Claims 22 and 49 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, and further in view of FARRIS et al.;
- Claims 24 and 26 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, in view of CHRISTIE et al., and further in view of GAI et al. (U.S. Patent No. 6,167,445);
- Claims 32-37 and 59-64 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, and further in view of KILKKI et al. (U.S. Patent No. 6,041,039);

- Claims 38 and 65 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, and further in view of BASSO et al.; and
- Claims 55 and 56 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, and further in view of KOBAYASHI et al. (U.S. Patent No. 5,896,371).

Applicants respectfully traverse the above objection and rejections.

By way of the present Amendment, Applicants propose amending, herein, claims 1, 6-9, 12-14, 22, 25, 31-33, 36-39, 44, 46, 49, 55, 58, 60, and 65 to improve form. No new matter is added through this amendment. Claims 1-9, 12-26, 31-39, 42-50, 55, 56, and 58-65 remain pending upon entry of the proposed amendments.

Statement Regarding the Substance of the Interview.

In accordance with Applicants' duty to submit a statement regarding the substance of an interview, Applicants submit that telephone conversations occurred between Applicants' undersigned representative and Examiner Crompton on March 27, 2012 and April 2, 2012. Applicants appreciate the courtesies extended by Examiner Crompton during the telephone conversations. During the telephone conversations, Applicants proposed amendments to claim 1 and Examiner Crompton indicated that these proposed amendments would raise new issues that would require additional search, but appear to overcome the rejections included in the final Office Action.

Claim Objection

Claim 31 stands objected to due to alleged informalities. Applicants respectfully traverse this objection.

Without acquiescing in this objection, Applicants propose to amend claim 31, herein, to address the clarity concern raised by the Examiner in the final Office Action at page 2.

Reconsideration and withdrawal of the objection to claim 31 are, therefore, respectfully requested.

***Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., HEMMADY, and SPIEGEL et al.***

Claims 1-3, 5, and 12 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, and further in view of SPIEGEL et al. Applicants respectfully traverse this rejection.

Without acquiescing in the allegations in the final Office action, Applicants herein propose to amend independent claim 1 to include features substantially similar to features discussed during the interview. Independent claim 1 is, therefore, patentable over BUYUKKOC et al., HEMMADY, and SPIEGEL et al., whether taken alone or in any reasonable combination. Claims 2, 3, 5, and 12 depend from claim 1 and are, therefore, patentable over BUYUKKOC et al., HEMMADY, and SPIEGEL et al., whether taken alone or in any reasonable combination, for at least the reasons discussed during the interview.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claims 1, 2, 3, 5, and 12 under based on BUYUKKOC et al., HEMMADY, and SPIEGEL et al.

***Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., HEMMADY, SPIEGEL et al., and NOAKE et al.***

Claim 4 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, in view of SPIEGEL et al., and further in view of NOAKE et al. Applicants respectfully traverse this rejection.

Claim 4 depends from claim 1. Without acquiescing in the Examiner's allegations, Applicants submit that the disclosure of NOAKE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., HEMMADY, and SPIEGEL et al. set forth above with respect to claim 1. Therefore, Applicants submit that claim 4 is patentable over BUYUKKOC et al., HEMMADY, and SPIEGEL et al., and NOAKE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claim 4 based on BUYUKKOC et al., HEMMADY, and SPIEGEL et al., and NOAKE et al.,

***Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., HEMMADY, SPIEGEL et al., and CHRISTIE et al.***

Claims 6, 8, and 9 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, in view of SPIEGEL et al., and further in view of CHRISTIE et al. Applicants respectfully traverse this rejection.

Claims 6, 8, and 9 depend from claim 1. Without acquiescing in the rejection of claims 6, 8, and 9, Applicants submit that the disclosure of CHRISTIE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., HEMMADY, and SPIEGEL et al. set forth above with respect to claim 1. Therefore, Applicants submit that claims 6, 8, and 9 are patentable over BUYUKKOC et al., HEMMADY, SPIEGEL et al., and CHRISTIE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claims 6, 8, and 9 based on BUYUKKOC et al., HEMMADY, SPIEGEL et al., and CHRISTIE et al.

**Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., HEMMADY, SPIEGEL et al., and FARRIS et al.**

Claim 7 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, in view of SPIEGEL et al., and further in view of FARRIS et al. Applicants respectfully traverse this rejection.

Claim 7 depends from claim 1. Without acquiescing in the rejection of claim 7, Applicants submit that the disclosure of FARRIS et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., HEMMADY, and SPIEGEL et al. set forth above with respect to claim 1. Therefore, Applicants submit that claim 7 is patentable over BUYUKKOC et al., HEMMADY, SPIEGEL et al., and FARRIS et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claim 7 based on BUYUKKOC et al., HEMMADY, SPIEGEL et al., and FARRIS et al.

**Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., HEMMADY, SPIEGEL et al., and BASSO et al.**

Claim 13 stands rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al. in view of HEMMADY, in view of SPIEGEL et al., and further in view of BASSO et al. Applicants respectfully traverse this rejection.

Claim 13 depends from claim 1. Without acquiescing in the rejection of claim 13, Applicants submit that the disclosure of BASSO et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al., HEMMADY, and SPIEGEL et al. set forth above with respect to claim 1. Therefore, Applicants submit that claim 13 is patentable over BUYUKKOC

et al., HEMMADY, SPIEGEL et al. and BASSO et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claim 13 based on BUYUKKOC et al., HEMMADY, SPIEGEL et al., and BASSO et al.

Rejection under 35 U.S.C. § 103(a) based on BUYUKKOC et al., and HEMMADY

Claims 14-16, 18, 20, 21, 31, 39, 42, 43, 45, 47, 48, and 58 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY. Applicants respectfully traverse this rejection.

Without acquiescing in the allegations in the final Office Action, Applicants herein propose to amend independent claims 14 and 39 to recite features similar to (yet possibly of different scope than) features discussed during the interview with respect to claim 1. Therefore, Applicants submit that claims 14 and 39, amended as proposed, are patentable over BUYUKKOC et al. and HEMMADY, whether taken alone or in any reasonable combination, for at least reasons similar to the reasons discussed during the interview with respect to claim 1.

Claims 15, 16, 18, 20, 21, 31, 42, 43, 45, 47, 48, and 58 depend from one of claims 14 and 39. Therefore, these claims are patentable over BUYUKKOC et al. and HEMMADY, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of 14-16, 18, 20, 21, 31, 39, 42, 43, 45, 47, 48, and 58 based on BUYUKKOC et al. and HEMMADY..

**Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., HEMMADY, and NOAKE et al.**

Claims 17 and 44 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, and further in view of NOAKE et al.. Applicants respectfully traverse this rejection.

Claim 17 depends from one of claims 14 or 39. Without acquiescing in the rejection of claims 17 and 44, Applicants submit that the disclosure of NAOKE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and HEMMADY, set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 17 and 44 are patentable over BUYUKKOC et al., HEMMADY, and NAOKE et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claims 17 and 44 based on BUYUKKOC et al., HEMMADY, and NAOKE et al.

**Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., HEMMADY, and CHRISTIE et al.**

Claims 19, 23, 25, 46, and 50 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, and further in view of CHRISTIE et al. Applicants respectfully traverse this rejection.

Claims 19, 23, 25, 46, and 50 depend from one of claims 14 and 39. Without acquiescing in the rejection of these claims, Applicants submit that the disclosure of CHRISTIE et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and HEMMADY set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 19, 23, 25, 46, and 50 are patentable over BUYUKKOC et al., HEMMADY, and CHRISTIE et al., whether

taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claims 19, 23, 25, 46, and 50 based on BUYUKKOC et al., HEMMADY, and CHRISTIE et al.

***Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., HEMMADY, and FARRIS et al.***

Claims 22 and 49 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, and further in view of FARRIS et al. Applicants respectfully traverse this rejection.

Claims 22 and 49 depend from one of claims 14 and 39. Without acquiescing in the rejection of claims 22 and 49, Applicants submit that the disclosure of FARRIS et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and HEMMADY set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 22 and 49 are patentable over BUYUKKOC et al., HEMMADY, and FARRIS et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claims 22 and 49 based on BUYUKKOC et al., HEMMADY, and FARRIS et al.

**Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., HEMMADY, CHRISTIE et al., and GAI et al.**

Claims 24 and 26 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., in view of HEMMADY, in view of CHRISTIE et al., and further in view of GAI et al. Applicants respectfully traverse this rejection.

Claims 24 and 26 depend, respectively, from claims 23 and 25. Without acquiescing in the rejection of claims 24 and 26, Applicants submit that the disclosure of GAI et al. does not remedy the deficiencies in the disclosures BUYUKKOC et al., HEMMADY, and CHRISTIE et al., set forth above with respect to claims 23 and 25. Therefore, Applicants submit that claims 24 and 26 are patentable over BUYUKKOC et al., HEMMADY, CHRISITE et al., and GAI et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 23 and 25.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claims 24 and 26 based on BUYUKKOC et al., HEMMADY, CHRISITE et al., and GAI et al.

**Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., HEMMADY, and KILKKI et al.**

Claims 32-37 and 59-64 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., HEMMADY, and KILKKI et al.. Applicants respectfully traverse this rejection.

Claims 32-37 and 59-64 depend, respectively, from claims 14 and 39. Without acquiescing in the rejection of claims 32-37 and 59-64, Applicants submit that the disclosure of KILKKI et al. et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and HEMMADY set forth above with respect to claims 14 and 39. Therefore, Applicants submit

that claims 32-37 and 59-64 are patentable over BUYUKKOC et al., HEMMADY, and KILKKI et al. et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claims 32-37 and 59-64 based on BUYUKKOC et al., HEMMADY, and KILKKI et al. et al.

***Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., HEMMADY, and BASSO et al.***

Claims 38 and 65 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., HEMMADY, and BASSO et al. Applicants respectfully traverse this rejection.

Claims 38 and 65 depend, respectively, from claims 14 and 39. Without acquiescing in the rejection of claims 38 and 65, Applicants submit that the disclosure of BASSO et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and HEMMADY set forth above with respect to claims 14 and 39. Therefore, Applicants submit that claims 38 and 65 are patentable over BUYUKKOC et al., HEMMADY, and BASSO et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claims 14 and 39.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claims 38 and 65 under based on BUYUKKOC et al., HEMMADY, and BASSO et al.

***Rejection under 35 U.S.C. § 103(a) based on
BUYUKKOC et al., HEMMADY, and KOBAYASHI et al.***

Claims 55 and 56 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over BUYUKKOC et al., HEMMADY, and KOBAYASHI et al. Applicants respectfully traverse this rejection.

Claims 55 and 56 depend from claims 39. Without acquiescing in the rejection of claims 55 and 56, Applicants submit that the disclosure of KOBAYASHI et al. does not remedy the deficiencies in the disclosures of BUYUKKOC et al. and HEMMADY set forth above with respect to claim 39. Therefore, Applicants submit that claims 55 and 56 are patentable over BUYUKKOC et al., HEMMADY, and KOBAYASHI et al., whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 39. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 55 and 56 under 35 U.S.C. § 103(a) based on BUYUKKOC et al., HEMMADY, and KOBAYASHI et al.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the 35 U.S.C. § 103(a) rejection of claims 32-37 and 59-64 based on BUYUKKOC et al., HEMMADY, and KOBAYASHI et al.

Conclusion

In view of the foregoing proposed amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

Entry of the proposed amendments are respectfully requested under 37 C.F.R § 1.116 since the proposed amendments do not raise new issues and serve to improve the form of the

claims. Furthermore, the proposed amendments improve the form of the claims for purposes of appeal in case the Examiner maintains the final rejections.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order to expedite prosecution of this application.

As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., whether a reference constitutes prior art, reasons to modify a reference and/or to combine references, assertions as to dependent claims, assertions regarding Official Notice, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070, and please credit any excess fees to such deposit account.

Respectfully submitted,

HARRITY & HARRITY, LLP

By: /David D. Nelson, Reg. No. 47,818/
David D. Nelson
Registration No. 47,818

Date: April 4, 2012
11350 Random Hills Road,
Suite 600
Fairfax, Virginia 22030
(571) 432-0800
Customer Number: 25537